IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of	:
Inventor(s): Thomas E. SAWYER	: Confirmation No. 6832
U.S. Patent Application No. 10/659,469	: Group Art Unit: 3714
Filed: September 11, 2003	: Examiner: KIM T NGUYEN
For: ROYAL GAME AND METHOD OF PLAYING	

BRIEF ON APPEAL

Mail Stop BOPA
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Further to the Notice of Appeal filed February 27, 2007, in connection with the above-identified application on appeal, Appellant submits this Brief on Appeal. Please charge any fees or credit any overpayments that may be due with this Brief to Deposit Account No. 07-1337.

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I.   REAL PARTY IN INTEREST

The real party in interest in this appeal is Thomas E. Sawyer.

II.   RELATED APPEALS AND INTERFERENCES

There are no related appeals and/or interferences that will directly affect, or be directly affected by, or have a bearing on the Board's decision in this appeal.

III.   STATUS OF CLAIMS

A.   Total Number of Claims in Application

There are a total of 40 claims pending in the instant application, namely claims 1, 12-14, 16-51.

B.   Status of all the claims

1.   Claims cancelled: 2-11 and 15

2.   Claims withdrawn from consideration but not cancelled: 28

3.   Claims pending: 1, 12-14, 16-51

4.   Claims allowed: none

5.   Claims rejected: 1, 12-14, 16-27 and 29-51

C.   Claims on Appeal

Claims on appeal are claims 1, 12-14, 16-27 and 29-51 as rejected by the Final Office Action.

IV. STATUS OF AMENDMENTS

No Amendment was filed in response to the Final Office Action.

V. SUMMARY OF CLAIMED SUBJECT MATTER

The invention of **independent claim 1** is directed to a method (e.g., Figs. 5-7) for at least one player to play a card game.

A card game ante is received from each of the at least one player (e.g., Fig. 5 at 50). The card game ante indicates participation in the card game, wherein the card game comprises a Poker game and an auxiliary play. The Poker game is played according to the standard rules of Poker and has at least five cards per hand (e.g., page 3 lines 17-18 and page 4 lines 9-10). A card game payout corresponding to each hand is determined regardless of a dealer hand (e.g., page 5 lines 5-11).

An auxiliary play ante is received from each of the at least one player (e.g., Fig. 5 at 51). The auxiliary play ante indicates participation in the auxiliary play, wherein the auxiliary play is based on the hand of the respective player in the Poker game (e.g., page 5 lines 14-17). The auxiliary play comprises a bonus prize corresponding to each hand having four royal cards out of the at least five cards, wherein the four royal cards comprise any four of an ace, a king, a queen, a jack, and a ten, and wherein the four royal cards comprise cards of the same suit (e.g., page 3 line 22 through page 4 line 4).

At least one card is dealt from at least one deck of cards to each remaining one of the at least one player in each of a plurality of rounds in accordance with the card game until the at least one player receives the at least five cards (e.g., Fig. 5 at 52).

A selection is received from each remaining one of the at least one player whether to wager in at least a first one of the plurality of rounds (e.g., Fig. 5 at 53).

For each of the at least one player selecting to wager in the first one of the plurality of rounds, a first wager is taken (e.g., page 9 lines 23-24).

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For each of the at least one player selecting not to wager in the first one of the plurality of rounds, the card game ante and the auxiliary play ante are taken, and the respective player is removed from the card game and the auxiliary game (e.g., Fig. 5 at 55).

A selection is received from each remaining one of the at least one player whether to wager in at least a second one of the plurality of rounds, wherein the second one of the plurality of rounds comes after the first one of the plurality of rounds (e.g., Fig. 6 at 55).

For each of the at least one player selecting to wager in the second one of the plurality of rounds, a second wager is taken (e.g., page 10 lines 3-5).

For each of the at least one player, selecting not to wager in the second one of the plurality of rounds, the card game ante and the auxiliary play ante as well as the first wager are taken, and the respective player is removed from the card game and the auxiliary game (e.g., Fig. 6 at 57).

A determination is made as to whether each of the at least one player remaining in the card game through the plurality of rounds, receiving the at least five cards, and participating in the auxiliary play was dealt the four royal cards out of the at least five cards (e.g., Fig. 7 at 61).

For each one of the at least one player remaining in the card game through the plurality of rounds, receiving the at least five cards, and participating in the auxiliary play having the four royal cards out of the at least five cards, the bonus prize is awarded (e.g., Fig. 7 at 63).

The invention of **independent claim 16** is directed to a system for at least one player to play a card game with representations of cards (e.g., Figs. 3-4). The system includes at least one input device (e.g., the keyboard and/or mouse of computer system 30, 40 in Figs. 3-4) for the at least one player to input data for playing the card game; a processor coupled to the at least one input device for receiving input data from the at least one input device (e.g., the CPU of computer system 30, 40 in Figs. 3-4); and at least one display device (e.g., the monitor of computer system 30, 40 in Figs. 3-4) coupled to the processor for displaying display information. The processor is operable to function essentially as detailed above with respect to independent claim 1.

The invention of **independent claim 26** is directed to a device for at least one player to play a card game with representations of cards (e.g., "slot machines" at page 9 line 2). The device comprises an input device for the at least one player to input data for playing the card game and a payment input for the at least one player to input payment (e.g., page 4 line 11). The disclosure of "slot machine" further inherently requires a processor coupled to the input device for receiving the input data from the input device; and a display device coupled to the processor for displaying display information. The processor and and payment input are operable to function essentially as detailed above with respect to independent claim 1.

The invention of **independent claim 32** is directed to a method of playing a card game (e.g., Figs. 5-7). The method comprises:

dealing to at least one player a hand of at least five cards from at least one deck of playing cards (e.g., Fig. 5 at 52 and Fig. 6 at 54, 58);

establishing a card game including each respective hand. The card game comprises a Poker game portion and an auxiliary game portion, wherein the Poker game portion is playable in conjunction with the standard rules for Poker and comprises a Poker game payout (e.g., page 3 lines 17-18 and page 4 lines 9-10 and page 5 lines 5-11). The auxiliary game portion comprises a bonus prize, wherein the bonus prize corresponds to each respective hand having four royal cards out of the at least five cards, wherein the four royal cards comprise any four of an ace, a king, a queen, a jack, and a ten, and wherein the four royal cards comprise four cards of the same suit (e.g., page 3 line 22 through page 4 line 4). Both the Poker game payout and the bonus prize are based on the at least five cards in each respective hand (e.g., page 5 lines 5-11 and Fig. 7 at 61 and 63);

for the Poker game portion of the card game, determining the Poker game payout for each hand based on the at least five cards in the respective hand (e.g., page 5 lines 5-11); and

for the auxiliary game portion of the card game, determining the bonus prize for each hand based on any four of the at least five cards in the respective hand comprising the four royal cards (Fig. 7 at 61 and 63).

The invention of **independent claim 48** is directed to a system for playing a card game, comprising: at least one input device, a processor coupled to the at least one input device, and at least one display device coupled to the processor, as essentially detailed above with respect to claim 16. The processor is operable to function essentially as detailed above with respect to independent claim 32.

The invention of **independent claim 50** is directed to a device for playing a card game, comprising: at least one input device, a payment mechanism, a processor, and at least one display device coupled to the processor, as essentially detailed above with respect to claim 26. The processor is operable to function essentially as detailed above with respect to independent claim 32.

VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

The only ground of rejection to be reviewed on appeal is whether the Examiner is correct in her final rejection of claims 1, 12-14, 16-27 and 29-51 under *35 U.S.C. 103(a)* as being obvious over *Furuta et al.* (U.S. 003/0094761) in view of *Gold et al.* (U.S. 6,994,624), *Goldman* (U.S. 5,997,002) and *Guidi* (U.S. 5,839,732).

ARGUMENT

35 U.S.C. 103(a) rejections of claims 1, 12-14, 16-27 and 29-51 over *Furuta et al.* in view of *Gold et al*, *Goldman* and *Guidi*

The *35 U.S.C. 103(a)* rejections of all claims on appeal are traversed, because the Examiner has not properly established a *prima facie* case of obviousness.

> To establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

> The rule is obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988); *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992).

> Often, it will be necessary for a court to look to interrelated teachings of multiple patents; the effects of demands known to the design community or present in the marketplace; and the background knowledge possessed by a person having ordinary skill in the art, all in order to determine whether there was an <u>apparent reason</u> to combine the known elements in the fashion claimed by the patent at issue. To facilitate review, <u>this analysis should be made explicit</u>. *KSR International Co., v. Teleflex Inc.*, No. 04-1350, (US, April 30, 2007) (emphasis added).

1. With respect to the first criterion, Appellant respectfully submits that the Examiner has failed to provide an adequate suggestion or motivation, either in the references

themselves or in the knowledge generally available to one of ordinary skill in the art, to combine reference teachings.

Appellant has presented this traversing argument in the Amendment dated August 24, 2006, at page 19, last line, through page 20, line 11, which is reproduced herein below for the Board's convenience of review.

> Additionally, the Applicant submits that the examiner has failed to establish a *prima facie* case of obviousness for the claimed subject matter. Both the case law of the Federal Circuit and the PTO itself have made clear that where a modification must be made to the prior art to reject or invalidate a claim under §103, there must be a showing of proper motivation or suggestion in the reference to do so.[1] The PTO can satisfy this burden only by showing some objective teaching in the prior art, or that knowledge generally available to one of ordinary skill in the art, would lead that individual to combine the relevant teachings of the references.[2] Further, it is well settled that the mere fact that the prior art *could be* modified does not make the modification obvious unless the prior art has suggested the desirability of the modification.[3]
>
> In the Office Action, the examiner merely states that the recited subject matter is obvious in light of the cited references.[4] The examiner does not provide any factual basis of any suggestion in the prior art for such a modification. This is an insufficient showing of motivation.

The Examiner has apparently ignored Appellant's traversing argument, repeating the same line of reasoning in the Final Office Action, at the sentence bridging pages 3-4.

Appellant respectfully submits that the Examiner has failed to specify, with reasonable clarity, the source of her so-called "suggestion or motivation," i.e., whether such "suggestion or motivation" can found in the references themselves or in the knowledge generally available in the art. In either case, the Examiner has failed to produce any <u>evidence</u> showing that such "suggestion or motivation" was indeed in the art prior to the invention claimed in the instant application. The

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[1] *See also In re Gordon*, 221 U.S.P.Q. 1125, 1127 (Fed. Cir. 1984) (prior art could not be turned upside down without motivation to do so); *In re Rouffet*, 149 F.3d 1350 (Fed. Cir. 1998); *In re Dembiczak*, 175 F.3d 994 (Fed. Cir. 1999); *In re Lee*, 277 F.3d 1338 (Fed. Cir. 2002).

[2] *Id.*

[3] *In re Gordon* (emphasis added).

[4] *See, e.g.,* Office Action at page 3.

Examiner's "suggestion or motivation" is therefore inadequate as being evidentially unsupported.

In addition, the Examiner's rejection found in page 2 through page 4, line 4 of the Final Office Action has failed to provided an _explicit_ analysis with an _apparent_ reason that would have prompted a person of ordinary skill in the relevant field to combine the prior art elements in the claimed manner, as required by the US supreme Court in the recent _KSR_ decision cited above.

2.   Still with respect to the first criterion, Appellant respectfully submits that _Gold et al._ teach away from the Examiner's proposed combination with _Furuta et al._

It should be noted that _Gold et al._ disclose a poker style game in which a player, who is one card away from achieving a royal flush, is provided the option to receive an additional card for no additional wager. In one embodiment, a player receives a payout even if the additional card does not yield a royal flush. In another embodiment, a player receives a payout if the additional card does not yield a royal flush, but one of the player's prior hands was a winning hand. In still another embodiment, a player receives a payout if the player's final hand is a winning, non-royal flush hand.[5] Therefore, the overall teaching of _Gold et al._ is to encourage a player, who is one card away from achieving a royal flush, to pursue the royal flush without excessive risk[6] and without an additional wager.[7]

Furuta et al. on the other hand requires a player to place a ROYALTY BET if he or she wants to pursue a royal flush-like hand.[8]

Thus, a person of ordinary skill in the art would understand that the overall teaching[9] of _Gold et al._ runs counter to that of _Furuta et al._, and would not have considered _Gold et al._ as combinable with _Furuta et al._

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[5] _See_, for example, _Gold et al._ at Abstract.

[6] _Id_ at column 1 line 63 through column 2 line 8.

[7] _Id_ at column 1 lines 59-62.

[8] _See_, for example, _Furuta et al._ at paragraph [0022].

[9] The references must be considered as a whole and must suggest the desirability and thus the obviousness of making the combination. _Hodosh v. Block Drug Co., Inc._, 786 F.2d 1136, 1143 n.5, 229 USPQ 182, 187 n.5 (Fed.

Accordingly, Appellant respectfully submits that for *any* of the above-presented reasons, the *35 U.S.C. 103(a)* rejections of all claims are improper and should be reversed.

Appellant will nevertheless proceed with his remarks regarding separate patentability of certain claims and/or claim groups.

Claims 1, 12-14, 16-27 and 29-31

3.   The *35 U.S.C. 103(a)* rejections of claims 1, 12-14, 16-27 and 29-31 are further traversed, because even if the game disclosed in the primary reference of *Furuta et al.* was properly modifiable to include a standard Poker game as taught by *Gold et al.* or *Goldman* or *Guidi* in the manner proposed by the Examiner, the combined game would still fail to teach or disclose all limitations of the claimed invention, such as "the Poker game played according to the standard rules of Poker and having at least five cards per hand, wherein a card game payout corresponding to each hand is determined <u>regardless of a dealer hand</u>."[10]

It should be noted that the primary objection of *Furuta et al.* is to provide a <u>new</u> card game having an improved betting scheme that provides an easy-to-understand and exciting gaming experience while maintaining financial balance between the player and the gaming establishment.[11] The new game according to *Furuta et al.* is played with two hands, i.e., a high hand and a low hand. The <u>player's high and low hands are compared to the dealer's high and low hands</u>, respectively, and winners are paid according to a payout schedule. Each player's combined hand is compared to a bonus bet card configuration table. If a player's hand contains a bonus bet card configuration, the player is paid according to a bonus bet payout schedule.[12] Throughout the remainder of the *Furuta et al.* reference, there is no disclosure or suggestion of a card game payout being determined based on the player's high or low hand regardless of the dealer's hands. (Although *Furuta et al.* discloses a ROYALTY BET payout determined based on the player's hand alone, such teachings are considered by the Examiner to read on another

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Cir. 1986).

[10] *See*, for example, independent claim 1 at lines 4-6.

[11] *Furuta et al.* at paragraph [0008].

[12] *Id* at paragraph [0009].

feature of the claimed invention, i.e., the auxiliary play,[13] and are not readable on the claim feature at hand, i.e., the Poker game.)

Thus, even if the game disclosed in the primary reference of *Furuta et al.* was properly modifiable to include a standard Poker game having at least five cards per high/low hand as taught by *Gold et al.* or *Goldman* or *Guidi* in the manner proposed by the Examiner, the combined game would still require each player's 5-card high and low hands to be compared with the dealer's 5-card high and low hands as taught by *Furuta et al.* The game card payout of such combined game would still be determined based on the dealer's hands,[14] rather than regardless of the dealer's hand as presently claimed.

It should further be noted that any proposal to further modify *Furuta et al.* to determine the card game payout based solely on the player's high and low hands would run counter to the primary reference's purpose of providing a "new" and "exciting" card game as discussed above.[15] Indeed, if the card game payout was determined based solely on the player's high and low hands, there would be no excitement as the player would merely split his or her cards into a high and low hands in order to get the highest possible payout from a predetermined payout schedule. The card game portion would be turned into a boring mathematical problem with a fixed solution (i.e., the high and low hands that ensure the maximum payout) because all pieces of information (cards, payout schedule) are *known*. It is the *unknown* hands of the dealer, against which each player has to play, that makes the *Furuta et al.* game exciting. Therefore, no person of ordinary skill in the art would have further modified *Furuta et al.* to determine the card game payout regardless of the dealer's hands, as presently claimed.

Accordingly Appellant respectfully submits that the Examiner's combined card game would fail to include at least the "regardless of a dealer hand" features of the independent claims, and that it would not have been obvious to further modify the Examiner's combined card game to arrive at the claimed invention because the primary purpose of *Furuta et al.* would be defeated.

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[13] *See* Final Office Action at page 2 lines 1-3 from bottom.

[14] *See* also *Furuta et al.* at 126-136 in Fig. 3.

[15] *See*, for example, *Furuta et al.* at paragraph [0008].

4.   The *35 U.S.C. 103(a)* rejections of claims 1, 12-14, 16-27 and 29-31 are also traversed, because if the game disclosed in the primary reference of *Furuta et al.* was properly modifiable to include a standard Poker game as taught by *Gold et al.* or *Goldman* or *Guidi* in the manner proposed by the Examiner, the combined game would still fail to teach or disclose the claim features that "a card game payout corresponding to each hand" and "a bonus prize corresponding to each hand having four royal cards out of the at least five cards."[16]   In other words, both the card game payout and bonus prize in the claimed invention are determined for each hand.

In contrast, the Examiner's proposed combined game[17] would retain the payout scheme of *Furuta et al.* in which the card game payout is determined based on both hands, e.g., high and low hand,[18] whereas the ROYALTY BET bonus is determined based on a combined hand[19] comprising cards of the high and low hands.

Accordingly Appellant respectfully submits that the Examiner's combined card game would fail to include the discussed features of the claimed invention.

Claims 1, 12-14, 16-27 and 29-31 are therefore separately patentable and do not stand or fall together with the other claims.

<u>Claims 32-46 and 48-51</u>

5.   The *35 U.S.C. 103(a)* rejections of claims 32-46 and 48-51 are further traversed, because if the game disclosed in the primary reference of *Furuta et al.* was properly modifiable to include a standard Poker game as taught by *Gold et al.* or *Goldman* or *Guidi* in the manner proposed by the Examiner, the combined game would still fail to teach or disclose the claim

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[16] *See*, for example, claim 1 at lines 5 and 10.

[17] *See*, for example, Final Office Action at the sentence bridging pages 3-4.

[18] *See*, for example, *Furuta et al.* at 126-136 in Fig. 3.

[19] *Id* at paragraph [0009] last two sentences, paragraph [0022] lines 7-10, and independent claims 1, 5, and 19.

feature that "wherein both the Poker game payout and the bonus prize are based on the at least five cards in <u>each respective hand</u>."[20]

    In contrast, the Examiner's proposed combined game[21] would retain the payout scheme of *Furuta et al.* in which the card game payout is determined based on <u>both hands</u>, e.g., high and low hand,[22] whereas the ROYALTY BET bonus is determined based on a <u>combined hand</u>[23] comprising cards of the high and low hands.

    Accordingly Appellant respectfully submits that the Examiner's combined card game would fail to include the discussed feature of the claimed invention.

    Claims 32-46 and 48-51 are therefore separately patentable and do not stand or fall together with the other claims.

<u>Claim 47</u>

    6.   Claim 47 depends from claim 32, and is considered patentable at least for the reason advanced with respect to claim 32. The dependent claim is also patentable on its own merit since the applied art of record fails to teach or suggest the claimed "awarding the Poker game payout for each hand further comprises awarding the Poker game payout according to a Poker game payout <u>determination regardless of a dealer hand</u>" as argued above in paragraph No. 3.

    Accordingly Appellant respectfully submits that the Examiner's combined card game would fail to include the discussed feature of the claimed invention.

    Claim 47 is therefore separately patentable and does not stand or fall together with the other claims.

    For the above reasons, Appellant submits that claims 1, 12-14, 16-27 and 29-51 are patentable under *35 U.S.C. § 103(a)* over the cited references. Thus, the Appellant respectfully requests the Honorable Board to reverse the rejections.

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[20] *See*, for example, claim 32 at line 8.

[21] *See*, for example, Final Office Action at the sentence bridging pages 3-4.

[22] *See*, for example, *Furuta et al.* at 126-136 in Fig. 3.

[23] *Id* at paragraph [0009] last two sentences, paragraph [0022] lines 7-10, and independent claims 1, 5, and 19.

Respectfully submitted,

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VIII. CLAIMS APPENDIX

1.   A method for at least one player to play a card game comprising:

receiving a card game ante from each of the at least one player, the card game ante indicating participation in the card game, wherein the card game comprises a Poker game and an auxiliary play, the Poker game played according to the standard rules of Poker and having at least five cards per hand, wherein a card game payout corresponding to each hand is determined regardless of a dealer hand;

receiving an auxiliary play ante from each of the at least one player, the auxiliary play ante indicating participation in the auxiliary play, wherein the auxiliary play is based on the hand of the respective player in the Poker game, wherein the auxiliary play comprises a bonus prize corresponding to each hand having four royal cards out of the at least five cards, wherein the four royal cards comprise any four of an ace, a king, a queen, a jack, and a ten, and wherein the four royal cards comprise cards of the same suit;

dealing at least one card from at least one deck of cards to each remaining one of the at least one player in each of a plurality of rounds in accordance with the card game until the at least one player receives the at least five cards;

receiving a selection from each remaining one of the at least one player whether to wager in at least a first one of the plurality of rounds;

for each of the at least one player selecting to wager in the first one of the plurality of rounds, taking a first wager;

for each of the at least one player selecting not to wager in the first one of the plurality of rounds:

taking the card game ante;

taking the auxiliary play ante; and

removing the respective player from the card game and the auxiliary game;

receiving a selection from each remaining one of the at least one player whether to wager in at least a second one of the plurality of rounds, wherein the second one of the plurality of rounds comes after the first one of the plurality of rounds;

for each of the at least one player selecting to wager in the second one of the plurality of rounds, taking a second wager;

for each of the at least one player, selecting not to wager in the second one of the plurality of rounds:

taking the card game ante;

taking the auxiliary play ante;

taking the first wager; and

removing the respective player from the card game and the auxiliary game;

determining whether each of the at least one player remaining in the card game through the plurality of rounds, receiving the at least five cards, and participating in the auxiliary play was dealt the four royal cards out of the at least five cards; and

for each one of the at least one player remaining in the card game through the plurality of rounds, receiving the at least five cards, and participating in the auxiliary play having the four royal cards out of the at least five cards, awarding the bonus prize.

12.   The method of Claim 1, wherein dealing further comprises:

dealing two cards down and one card up to each of the at least one player in the first one of the plurality of rounds.

13.   The method of Claim 12, wherein dealing further comprises:

dealing one card up to each of the at least one player remaining in the card game in the second one of the plurality of rounds.

14.   The method of Claim 13, wherein dealing further comprises:

dealing one card, either up or down, to each of the at least one player remaining in the card game in a third one of the plurality of rounds, wherein the third one follows the second one of the plurality of rounds.

16.   A system for at least one player to play a card game with representations of cards, comprising:

at least one input device for the at least one player to input data for playing the card game;

a processor coupled to the at least one input device for receiving input data from the at least one input device; and

at least one display device coupled to the processor for displaying display information;

wherein the processor is operable to:

receive a card game ante from each of the at least one player, the card game ante indicating participation in the card game, wherein the card game comprises a Poker game and an auxiliary game, the Poker game played according to the standard rules of Poker and having at least five cards per hand, wherein a card game payout corresponding to each hand is determined regardless of a dealer hand;

receive an auxiliary game ante from each of the at least one player, the auxiliary game ante indicating participation in the auxiliary game, wherein the auxiliary game is based on the hand of the respective player in the Poker game, wherein the auxiliary game comprises a bonus prize corresponding to each hand having four royal cards out of the at least five cards, wherein the four royal cards comprise any four of an ace, a king, a queen, a jack, and a ten, and wherein the four royal cards comprise cards of the same suit;

deal at least one card from at least one deck of cards to each remaining one of the at least one player in each of a plurality of rounds in accordance with the Poker game until the at least one player receives the at least five cards;

receive a selection from each remaining one of the at least one player whether to wager in at least a first one of the plurality of rounds;

for each of the at least one player selecting to wager in the first one of the plurality of rounds, take a first wager;

for each of the at least one player selecting not to wager in the first one of the plurality of rounds:

take the card game ante;

take the auxiliary game ante; and

take the respective player out of the card game and the auxiliary game;

receive a selection from each remaining one of the at least one player whether to wager in at least a second one of the plurality of rounds, wherein the second one of the plurality of rounds comes after the first one of the plurality of rounds;

for each of the at least one player selecting to wager in the second one of the plurality of rounds, take a second wager;

for each of the at least one player, selecting not to wager in the second one of the plurality of rounds:

take the card game ante;

take the auxiliary game ante;

take the first wager; and

remove the respective player from the card game and the auxiliary game;

determine whether each of the at least one player remaining in the card game through the plurality of rounds, receiving the at least five cards, and participating in the auxiliary game was dealt the four royal cards out of the at least five cards; and

award the bonus prize for each one of the at least one player remaining in the card game through the plurality of rounds, receiving the at least five cards, and participating in the auxiliary game having the four royal cards out of the at least five cards.

17.   The system of Claim 16, further comprising a terminal.

18.   The system of Claim 16, further comprising at least one terminal on a network.

19.   The system of Claim 18, further comprising a server on the network.

20.   The system of Claim 19, wherein the at least one terminal and the server are coupled via a coupling.

21.   The system of Claim 20, wherein the coupling comprises one from the group consisting of a wired connection, a wireless connection, and a fiberoptic connection.

22.   The system of Claim 18, wherein the at least one terminal comprises one selected from a group consisting of a personal computer, a minicomputer, a microcomputer, a main frame computer, a telephone device, and a personal digital assistant.

23.   The system of Claim 19, wherein the server comprises one selected from a group consisting of a personal computer, a minicomputer, a microcomputer, and a main frame computer.

24.   The system of Claim 18, wherein the network is the Internet.

25.   The system of Claim 18, wherein the network is an intranet.

26.   A device for at least one player to play a card game with representations of cards, comprising:

an input device for the at least one player to input data for playing the card game;

a payment input for the at least one player to input payment;

a processor coupled to the input device for receiving the input data from the input device; and

a display device coupled to the processor for displaying display information;

wherein the payment input is operable to receive a card game ante from each of the at least one player, the card game ante indicating participation in the card game, wherein the card game comprises a Poker game and an auxiliary game, the Poker game played according to the

standard rules of Poker and having at least five cards per hand, wherein a card game payout corresponding to each hand is determined regardless of a dealer hand;

wherein the payment input is operable to receive an auxiliary game ante from each of the at least one player, the auxiliary game ante indicating participation in the auxiliary game, wherein the auxiliary game is based on the hand of the respective player in the Poker game, wherein the auxiliary game comprises a bonus prize corresponding to each hand having four royal cards out of the at least five cards, wherein the four royal cards comprise any four of an ace, a king, a queen, a jack, and a ten, and wherein the four royal cards comprise cards of the same suit;

wherein the processor is operable to:

deal at least one card from at least one deck of cards to each remaining one of the at least one player in each of a plurality of rounds in accordance with the card game until the at least one player receives the at least five cards;

receive a selection from each remaining one of the at least one player whether to wager in at least a first one of the plurality of rounds;

for each of the at least one player selecting to wager in the first one of the plurality of rounds, take a first wager;

for each of the at least one player selecting not to wager in the first one of the plurality of rounds:

take the card game ante;

take the auxiliary game ante; and

take the respective player out of the card game and the auxiliary game;

receive a selection from each remaining one of the at least one player whether to wager in at least a second one of the plurality of rounds, wherein the second one of the plurality of rounds comes after the first one of the plurality of rounds;

for each of the at least one player selecting to wager in the second one of the plurality of rounds, take a second wager;

for each of the at least one player, selecting not to wager in the second one of the plurality of rounds:

take the card game ante;

take the auxiliary game ante;

take the first wager; and

take the respective player out of the card game and the auxiliary game;

determine whether each of the at least one player remaining in the card game through the plurality of rounds, receiving the at least five cards, and participating in the auxiliary game was dealt the four royal cards out of the at least five cards; and

award the bonus prize for each one of the at least one player remaining in the card game through the plurality of rounds, receiving the at least five cards, and participating in the auxiliary game having the four royal cards out of the at least five cards.

27.   The device of Claim 26, wherein the device comprises a slot machine.

29.   The method of claim 1, further comprising:

determining the card game payout based on a predetermined payout table for each of the at least one player remaining in the card game through the plurality of rounds, and receiving the at least five cards; and

awarding the respective card game payout for each one of the at least one player remaining in the card game through the plurality of rounds, and receiving the at least five cards.

30.   The method of claim 1, further comprising:

determining the card game payout for each of the at least one player remaining in the card game through the plurality of rounds, and receiving the at least five cards, the card game payout based on a comparison of each respective hand of each of the at least one player remaining in the card game; and

awarding the respective card game payout for each one of the at least one player remaining in the card game through the plurality of rounds, and receiving the at least five cards.

31.   The method of claim 1, wherein dealing comprises dealing a representation of a card.

32.   A method of playing a card game, comprising:

dealing to at least one player a hand of at least five cards from at least one deck of playing cards;

establishing a card game including each respective hand, wherein the card game comprises a Poker game portion and an auxiliary game portion, wherein the Poker game portion is playable in conjunction with the standard rules for Poker and comprises a Poker game payout, wherein the auxiliary game portion comprises a bonus prize, wherein both the Poker game payout and the bonus prize are based on the at least five cards in each respective hand, wherein the bonus prize corresponds to each respective hand having four royal cards out of the at least five cards, wherein the four royal cards comprise any four of an ace, a king, a queen, a jack, and a ten, and wherein the four royal cards comprise four cards of the same suit;

for the Poker game portion of the card game, determining the Poker game payout for each hand based on the at least five cards in the respective hand; and

for the auxiliary game portion of the card game, determining the bonus prize for each hand based on any four of the at least five cards in the respective hand comprising the four royal cards.

33.   The method of claim 32, wherein dealing comprises dealing a representation of a card.

34.   The method of claim 32, wherein dealing from at least one deck of playing cards comprises dealing from each deck of playing cards comprising values of ace, two, three, four, five, six, seven, eight, nine, ten, jack, queen and king in each of four different suites.

35.   The method of claim 32, wherein dealing from at least one deck of playing cards comprises dealing from each deck of playing cards comprising values of ace, two, three, four, five, six, seven, eight, nine, ten, jack, queen and king in each of four different suites, and further comprising at least one joker.

36.   The method of claim 32, further comprising receiving a card game ante from each player, the card game ante comprising an indication of participation in the Poker game portion, and wherein determining the Poker game payout for each hand is further based on receiving the card game ante.

37.   The method of claim 36, wherein determining the bonus prize for each hand is further based on receiving the card game ante.

38.   The method of claim 32, further comprising receiving a card game ante from each player, the card game ante comprising an indication of participation in both the Poker game portion and the auxiliary game portion, and wherein determining the bonus prize for each hand is further based on receiving the card game ante.

39.   The method of claim 32, further comprising receiving a Poker game portion ante, at least one Poker game portion wager, and an auxiliary game portion ante from each of the at least one player, wherein the Poker game portion ante comprises an indication of participation in the Poker game portion, wherein the auxiliary game portion ante comprises an indication of participation in the auxiliary game portion, wherein determining the Poker game payout for each hand is further based on receiving the Poker game portion ante and the at least one Poker game portion wager, and wherein determining the bonus prize for each hand is further based on receiving the auxiliary game portion ante.

40.   The method of claim 32, further comprising:

receiving a card game ante from each player, the card game ante comprising an indication of participation in at least one of the Poker game portion and the auxiliary game portion;

wherein dealing further comprises dealing at least one card to each remaining player in each of a plurality of rounds in accordance with the Poker game portion until the at least one player receives the at least five cards;

receiving a selection from each player whether to wager in at least a first one of the plurality of rounds;

for each player selecting to wager in the first one of the plurality of rounds, taking a first Poker game portion wager;

for each player selecting not to wager in the first one of the plurality of rounds:

taking the card game ante; and

taking the respective player out of the Poker game portion and the auxiliary game portion.

41.   The method of claim 40, further comprising:

receiving a selection from each player remaining after the first one of the plurality of rounds whether to wager in at least a second one of the plurality of rounds;

for each player selecting to wager in the second one of the plurality of rounds, taking a second Poker game portion wager;

for each player selecting not to wager in the second one of the plurality of rounds:

taking the card game ante;

taking the first Poker game portion wager; and

taking the respective player out of the Poker game portion and the auxiliary game portion.

42.   The method of claim 41, further comprising:

receiving a selection from each player remaining after a second to last one of the plurality of rounds whether to wager in a last one of the plurality of rounds;

for each player selecting to wager in the last one of the plurality of rounds, taking a last Poker game portion wager;

for each player selecting not to wager in the last one of the plurality of rounds, taking at least one of the following actions:

receiving an indication corresponding to a pass, and then determining the Poker game payout and the bonus prize;

receiving an indication corresponding to a trade-in of a number of cards, dealing a number of new cards corresponding to the number of trade-in cards, and then determining the Poker game payout and the bonus prize, or receiving an indication to corresponding to a fold and taking the card game ante, all of the respective Poker game portion wagers and taking the respective player out of the Poker game portion and the auxiliary game portion; and

receiving an indication corresponding to a fold, taking the card game ante, all of the respective Poker game portion wagers, and taking the respective player out of the Poker game portion and the auxiliary game portion.

43.   The method of claim 32, further comprising:

awarding the Poker game payout for each hand according to the respective Poker game payout determination; and

awarding the bonus prize for each hand according to the respective bonus prize determination.

44.   The method of claim 43, wherein awarding the bonus prize for each hand further comprises awarding the bonus prize based on receiving a card game ante corresponding to the respective hand.

45.   The method of claim 43, wherein awarding the bonus prize for each hand further comprises awarding the bonus prize based on receiving an auxiliary game portion ante corresponding to the respective hand.

46.   The method of claim 43, wherein awarding the Poker game payout for each hand further comprises awarding the Poker game payout according to a Poker game payout determination based on at least one of a predetermined payout table and a comparison between respective hands of respective players.

47.   The method of claim 43, wherein awarding the Poker game payout for each hand further comprises awarding the Poker game payout according to a Poker game payout determination regardless of a dealer hand.

48.   A system for playing a card game, comprising:

at least one input device for at least one player to input data for playing the card game comprising representations of cards;

a processor coupled to the at least one input device for receiving input data from the at least one input device; and

at least one display device coupled to the processor for displaying display information;

wherein the processor is operable to:

deal to each player a hand of at least five cards from at least one deck of playing cards;

establish the card game with respect to each respective hand, wherein the card game comprises a Poker game portion and an auxiliary game portion, wherein the Poker game portion is playable in conjunction with the standard rules for Poker and comprises a Poker game payout, wherein the auxiliary game portion comprises a bonus prize, wherein both the Poker game payout and the bonus prize are based on the at least five cards in each respective hand, wherein the bonus prize corresponds to each respective hand having four royal cards out

of the at least five cards, wherein the four royal cards comprise any four of an ace, a king, a queen, a jack, and a ten, and wherein the four royal cards comprise four cards of the same suit;

for the Poker game portion of the card game, determine the Poker game payout for each hand based on the at least five cards in the respective hand; and

for the auxiliary game portion of the card game, determine the bonus prize for each hand based on any four of the at least five cards in the respective hand comprising the four royal cards.

49.   The system of claim 48, further comprising at least one terminal on a network, and at least one server on the network.

50.   A device for playing a card game, comprising:

at least one input device for at least one player to input data for playing the card game comprising representations of cards;

a payment mechanism operable to receive a payment from the at least one player;

a processor coupled to the at least one input device for receiving input data from the at least one input device; and

at least one display device coupled to the processor for displaying display information;

wherein the processor is operable to:

deal to each player a hand of at least five cards from at least one deck of playing cards;

establish the card game with respect to each respective hand, wherein the card game comprises a Poker game portion and an auxiliary game portion, wherein the Poker game portion is playable in conjunction with the standard rules for Poker and comprises a Poker

game payout, wherein the auxiliary game portion comprises a bonus prize, wherein both the Poker game payout and the bonus prize are based on the at least five cards in each respective hand, wherein the bonus prize corresponds to each respective hand having four royal cards out of the at least five cards, wherein the four royal cards comprise any four of an ace, a king, a queen, a jack, and a ten, and wherein the four royal cards comprise four cards of the same suit;

for the Poker game portion of the card game, determine the Poker game payout for each hand based on the at least five cards in the respective hand; and

for the auxiliary game portion of the card game, determine the bonus prize for each hand based on any four of the at least five cards in the respective hand comprising the four royal cards.

51. The device of claim 50, wherein the device comprises a slot machine.

IX. EVIDENCE APPENDIX

NONE

X. RELATED PROCEEDINGS APPENDIX

NONE